

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

DMT MACTRUONG, *also known as* Dr. Mac
Truong,

Plaintiff,

v.

GREG ABBOTT, et al.,

Defendants.

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1:24-CV-1099-RP

ORDER

Before the Court is the report and recommendation of United States Magistrate Judge Susan Hightower concerning Plaintiff Dmt MacTruong's ("Plaintiff") Motion to Proceed *In Forma Pauperis*, (Dkt. 2), (R. & R., Dkt. 6), filed on January 8, 2025. In her report and recommendation, Judge Hightower recommends that the Court dismiss Plaintiff's Complaint as frivolous and malicious under § 1915(a)(1) and that the Court impose a prefiling injunction declaring that Plaintiff may not file any future actions *pro se* and *in forma pauperis* in the Western District of Texas alleging copyright infringement or challenging the Texas Heartbeat Act or the *Dobbs* decision without receiving written leave from a District Judge of this Court or a Judge of the Fifth Circuit. (*Id.*). Plaintiff filed objections to the report and recommendation on January 29, 2025. (Objs., Dkt. 9).

A party may serve and file specific, written objections to a magistrate judge's findings and recommendations within fourteen days after being served with a copy of the report and recommendation and, in doing so, secure *de novo* review by the district court. 28 U.S.C. § 636(b)(1)(C). Although Plaintiff's objections were not timely, the Court, in its discretion, will still consider Plaintiff's objections given his *pro se* status. Because Plaintiff objected to the report and recommendation, the Court reviews the report and recommendation *de novo*. Having done so and for

the reasons given in the report and recommendation, the Court overrules Plaintiff's objections and adopts the report and recommendation as its own order.

Accordingly, the Court **ORDERS** that the report and recommendation of United States Magistrate Judge Susan Hightower, (Dkt. 6), is **ADOPTED**.

IT IS FURTHER ORDERED that Plaintiff's duplicative Complaint is **DISMISSED** with prejudice under § 1915(a)(1).

IT IS FINALLY ORDERED that Dmt MacTruong, also known as Dr. Mac Truong, is **ENJOINED** from filing any future actions *pro se* and *in forma pauperis* in the Western District of Texas alleging copyright infringement or challenging the Texas Heartbeat Act or the *Dobbs* decision without receiving written leave from a District Judge of this Court or a Judge of the Fifth Circuit. The Clerk of Court is instructed to not accept any new lawsuit filed by Dmt MacTruong unless and until a motion for leave is filed and granted.

The Court will enter final judgment by separate order.

SIGNED on April 2, 2025.

A handwritten signature in blue ink, appearing to read "Robert Pitman", written over a horizontal line.

ROBERT PITMAN
UNITED STATES DISTRICT JUDGE